

AMENDED IN ASSEMBLY AUGUST 6, 2012

AMENDED IN SENATE MAY 2, 2012

AMENDED IN SENATE APRIL 19, 2012

SENATE BILL

No. 1245

Introduced by Senator Alquist

February 23, 2012

An act to ~~add and repeal Section 44388 of the Education Code, relating to teacher credentialing~~ *amend Section 34167.10 of the Health and Safety Code, relating to the Santa Clara Stadium Authority.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1245, as amended, Alquist. ~~Teacher credentialing: alternative certification programs report.~~ *Santa Clara Stadium Authority: stadium agreements: enforceable obligations.*

Existing law authorized the City of Santa Clara and the Redevelopment Agency of the City of Santa Clara to enter into a joint powers agreement to create and operate a joint powers agency, the Santa Clara Stadium Authority, for the construction, operation, and maintenance of a stadium and related facilities that are suitable for use by a professional football team.

Existing law dissolved redevelopment agencies, as of February 1, 2012, and provides for the designation of successor agencies, as defined. Existing law requires the successor agencies to wind down the affairs of the dissolved redevelopment agencies and to, among other things, make payments due for enforceable obligations, as defined. Existing law requires the Controller to review the activities of successor agencies to determine if an asset transfer that was not made pursuant to an enforceable obligation occurred after January 31, 2012, between the

successor agency and the city, county, or city and county, as defined, that created the redevelopment agency. If such a transfer occurred, the Controller is required to order the return of available assets to the successor agency.

This bill would exclude the Santa Clara Stadium Authority from the definition of “city, county, or city and county” for these purposes. The bill would further provide that agreements entered into prior to June 27, 2011, between a former redevelopment agency and the Santa Clara Stadium Authority to contribute funding to the development of a stadium constitute enforceable obligations that shall not be subject to termination. The bill would make findings regarding the need for special legislation.

~~Existing law requires the Commission on Teacher Credentialing to establish standards for the issuance and renewal of teaching credentials, certificates, and permits, subject to specified provisions of law. Existing law authorizes the operation by a school district, county office of education, college or university, or other public education entity, as specified, of an alternative certification program designed to provide a concentrated program leading to a permanent teaching credential.~~

~~This bill would, on or before January 1, 2015, require the commission to submit a report to the Governor and the chairs of the Senate Committee on Education and the Assembly Committee on Education that includes a study of the alternative certification programs offered in other states, as specified, recommendations for appropriate goals of alternative certification programs within the state, as specified, an assessment of California’s current alternative certification programs, as specified, and recommendations as to whether the intern statutes, as specified, should be consolidated.~~

~~The bill would repeal these provisions on January 1, 2019.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 34167.10 of the Health and Safety Code
- 2 is amended to read:
- 3 34167.10. (a) Notwithstanding any other law, for purposes of
- 4 this part and Part 1.85 (commencing with Section 34170), the
- 5 definition of a city, county, or city and county includes, but is not
- 6 limited to, the following entities:

1 (1) Any reporting entity of the city, county, or city and county
2 for purposes of its comprehensive annual financial report or similar
3 report.

4 (2) Any component unit of the city, county, or city and county.

5 (3) Any entity which is controlled by the city, county, or city
6 and county, or for which the city, county, or city and county is
7 financially responsible or accountable.

8 (b) The following factors shall be considered in determining
9 that an entity is controlled by the city, county, or city and county,
10 and are therefore included in the definition of a city, county, or
11 city and county for purposes of this part and Part 1.85 (commencing
12 with Section 34170):

13 (1) The city, county, or city and county exercises substantial
14 municipal control over the entity's operations, revenues, or
15 expenditures.

16 (2) The city, county, or city and county has ownership or control
17 over the entity's property or facilities.

18 (3) The city, county, or city and county and the entity share
19 common or overlapping governing boards, or coterminous
20 boundaries.

21 (4) The city, county, or city and county was involved in the
22 creation or formation of the entity.

23 (5) The entity performs functions customarily or historically
24 performed by municipalities and financed thorough levies of
25 property taxes.

26 (6) The city, county, or city and county provides administrative
27 and related business support for the entity, or assumes the expenses
28 incurred in the normal daily operations of the entity.

29 (c) For purposes of this section, it shall not be relevant that the
30 entity is formed as a separate legal entity, nonprofit corporation,
31 or otherwise, or is not subject to the constitution debt limitation
32 otherwise applicable to a city, county, or city and county. The
33 provisions in this section are declarative of existing law as the
34 entities described herein are and were intended to be included
35 within the requirements of this part and Part 1.85 (commencing
36 with Section 34170) and any attempt to determine otherwise would
37 thwart the intent of these two parts.

38 *(d) Notwithstanding subdivisions (a) to (c), inclusive, or any*
39 *other law, the Santa Clara Stadium Authority, which was*
40 *specifically created pursuant to Section 6532 of the Government*

1 *Code, shall be excluded from the definition of a city, county, or*
2 *city and county described pursuant to this section. Agreements*
3 *entered into prior to June 27, 2011, between a former*
4 *redevelopment agency and the Santa Clara Stadium Authority,*
5 *which may include, but are not limited to, private parties, to*
6 *contribute funding to the development of a stadium shall constitute*
7 *enforceable obligations and shall not be subject to termination*
8 *pursuant to Part 1.85 (commencing with Section 34170).*

9 *SEC. 2. The Legislature finds and declares that, because of*
10 *the unique circumstances occurring within the Santa Clara region,*
11 *a statute of general applicability cannot be enacted within the*
12 *meaning of subdivision (b) of Section 16 of Article IV of the*
13 *California Constitution, and, therefore, this special statute is*
14 *necessary.*

15 ~~SECTION 1. Section 44388 is added to the Education Code,~~
16 ~~to read:~~

17 ~~44388. (a) On or before January 1, 2015, the commission shall~~
18 ~~submit a report to the Governor and the chairs of the Senate~~
19 ~~Committee on Education and the Assembly Committee on~~
20 ~~Education that includes all of the following:~~

21 ~~(1) A study of alternative certification programs in other states~~
22 ~~that use significantly different teacher preparation methods from~~
23 ~~traditional teacher preparation programs and provide a meaningful~~
24 ~~alternative model for individuals to enter into the teaching~~
25 ~~profession.~~

26 ~~(2) Recommendations for the appropriate goals of alternative~~
27 ~~certification programs within the state, including, but not limited~~
28 ~~to, recommendations in regard to the purpose, role, and target~~
29 ~~audiences of alternative certification programs.~~

30 ~~(3) An assessment of whether California's current alternative~~
31 ~~certification programs meet the goals described in paragraph (2).~~

32 ~~(4) Recommendations as to whether the intern statutes should~~
33 ~~be consolidated, including, but not limited to, all of the following:~~

34 ~~(A) District intern statutes including, but not limited to, Article~~
35 ~~7.5 (commencing with Section 44325) and Section 44830.3.~~

36 ~~(B) The Teacher Education Internship Act of 1967 pursuant to~~
37 ~~Article 3 (commencing with Section 44450) of Chapter 3.~~

38 ~~(C) The New Careers Program pursuant to Article 5~~
39 ~~(commencing with Section 44520) of Chapter 3.~~

1 ~~(b) (1) A report submitted pursuant to subdivision (a) shall be~~
2 ~~submitted in compliance with Section 9795 of the Government~~
3 ~~Code.~~
4 ~~(2) Pursuant to Section 10231.5 of the Government Code, this~~
5 ~~section is repealed on January 1, 2019.~~

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